

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	F.	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/591,437		06/09/2000	Jiuzhi Xue	DIS-P016	3249	
25231	7590	05/24/2006		EXAM	EXAMINER	
•		ANN & BREYFOO	GLE LLP			
3151 SOUT SUITE 411		HN WAY		ART UNIT	PAPER NUMBER	
AURORA, CO 80014						
				DATE MAILED: 05/24/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
Notification of Non-Compliant Appeal Brief (37 CFR 41.37)		09/591,437					
		Examiner	Art Unit				
		Thoi V. Duong	2871				
	The MAILING DATE of this communication app	pears on the cover sheet with the	correspondence a	address			
The Ap	opeal Brief filed on 13 March 2006 is defective fo	or failure to comply with one or m	ore provisions of	37 CFR 41.37.			
1205.0	oid dismissal of the appeal, applicant must file and 3) within ONE MONTH or THIRTY DAYS from the SIONS OF THIS TIME PERIOD MAY BE GRA	he mailing date of this Notification	ate correction (se on, whichever is le	ee MPEP onger.			
1. 🛚	The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.						
2. 🗌	The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).						
3. 🗌	At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).						
4.	(a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).						
5. 🗌	The brief does not contain a concise statement 41.37(c)(1)(vi))	t of each ground of rejection pres	sented for review	(37 CFR			
6.	The brief does not present an argument under a 41.37(c)(1)(vii)).	a separate heading for each grour	nd of rejection on	appeal (37 CFR			
7.	The brief does not contain a correct copy of the 41.37(c)(1)(viii)).	e appealed claims as an append	x thereto (37 CF	R			

The following items are missing from the brief: (IX) Evidence of appendix and (X) Related proceedings appendix.

The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any

other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix

The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR

DUNGT NGUYEN PRIMARY EXAMINER

9.

thereto (37 CFR 41.37(c)(1)(ix)).

Other (including any explanation in support of the above items):

41.37(c)(1)(x)).